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EXAMINER

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ART UNIT

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Attachment to PTOL-303:

Independent claims 2, 6, and 12 have been modified which require further search and consideration on the part of the Examiner.

Regarding claim 2, applicants argue "Ichinohe Reference, in the Office Action, at page 3, the Examiner acknowledges that Ichinohe does not disclose explicitly "transmitting, by the second router ... a routing capability message, notifying the routing capability time, to the nodes in the local area network..." Applicants respectfully agree with the Examiner's acknowledgment and further submit that Ichinohe is silence regarding the routing capability time feature as recited in claim 2.

Applicants then argue reference Yamaya, in the Office Action, at page 4, the Examiner contends that Yamaya teaches "transmitting, by the second router ... a routing capability message, notifying the routing capability time, to the nodes in the local area network ... ('transmits a transition notification packet...'; para [0150], [0116]," (italics in original). Yamaya at the portion cited by the Examiner (i.e., Paragraphs [0150] and [0116], is silent regarding the routing capability time feature as recited in claim 2. These portions of Yamaya disclose that a router in the backup state transmits a the router in the backup state has been changed to the master state. (See Yamaya at paragraph [0150].) Yamaya further discloses the use of a master down timer to control switchover to a new master router. That is, in Yamaya switchover to a new master router occurs 3 seconds after the time the master down timer is restarted (from reception of an advertisement message). (See Yamaya at paragraph [0116].) Thus, Yamaya is silent regarding transmission of a time included within the advertisement message. Instead, the master down timer and advertisement timer begin counting after receiving a message, but the message itself does not include a time (i.e. a routing capability time).

In response to applicants' remark/argument, examiner respectfully disagrees.

Examiner contends reference Yamaya et al. teaches "a routing capability time," and transmission of a time in the advertisement message to other nodes on the local

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area network. Examiner interpreted “a routing capability time” as the counting of the master down timer of the router expires”, see para. [0066], [0061], and interpreted “transmission of a time in the advertisement message to other nodes on the local area network” as transmits an advertisement packet to a router...., and transmit a transition notification packet”, paras. [0116] – [0018], [0150], [0116].

Regarding Claims 6 and 12, applicants argue “Claims 6 and 12, which include similar but not identical features to those of claim 2, are submitted to patentably distinguish over Ichinohe in view of Yamaya for at least similar reasons of those of claim 2.

In response to applicants’ remark/argument, examiner respectfully disagrees. Examiner contends the combined system of Ichinohe et al. and Yamaya et al. teaches all the claim subject matters as addressed in claim 2 above.

Regarding Claims 9 and 11, applicants then argues “In the Office Action, at item 7, claims 9 and 11 are rejected under 35 U.S.C. §103(a) as unpatentable over Ichinohe in view of Yamaya in further view of Flinck et al. (U.S. Patent No. 7,099,326, hereafter referred to as Flinck).

Reconsideration is respectfully requested.

Claims 9 and 11, which include all of the limitations of claim 6, are submitted to patentably distinguish over Ichinohe in view of Yamaya for at least the same reasons as claim 6.

Applicant then further argue “the addition of Flinck does not overcome the deficiencies of Ichinohe in view of Yamaya. This is because, Flinck, at the portion cited by the Examiner to teach that a router advertisement message of ICMPv6 has a routing stop time set in the lifetime field, merely discloses that a Router Lifetime should contain the frequency with which the mobile node receives information from Routing Area Updates, that no Reachable Time field should be set and that the Retrans timer contains the value that has been assigned for the Ready Timer Function inherent to

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GPRS Mobility Management. Flinck, however, is silent regarding "a routing capability time that is required to enable the routing function," as required by claim 6.

In response to applicants' remark/argument, examiner respectfully disagrees.

Examiner contends the combined system of references Ichinohe et al. and Yamaya et al. teaches "a routing capability time that is required to enable the routing function," , see Yamaya et al., "the counting of the master down timer of the router 11 expires....."..."advertisement packet"; Fig. 9, para. [0066], Fig. 10, para. [0116]- [0118], while reference Flinck remedies the deficiencies of references Ichinohe et al. and Yamaya et al. by disclosing the limitation of advertisement message of ICMPv6 and the lifetime field, see Flinck, "ICMPv6", "valid lifetime"; Fig. 5, Fig. 6, Fig. 8, col. 4, lines 59 – 66, col. 5, lines 34 – 57.

/Andrew C Lee/

Examiner, Art Unit 2476 <2Q10::02_15_10>